

HOUSE JOURNAL

EIGHTY-FOURTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FORTY-THIRD DAY — MONDAY, APRIL 6, 2015

The house met at 2:02 p.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 164).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Absent, Excused — Canales; Johnson; Martinez Fischer; Rinaldi; Smithee.

The speaker recognized Representative T. King who introduced Reverend Dino Espinoza, senior pastor, Templo Emanuel Assembly of God, Crystal City, who offered the invocation as follows:

God of all creation, following a weekend when hundreds of houses of worship enjoyed celebrations of life, we join here for another daily session of our Texas House of Representatives. We are united in our reverence, faith, gratitude to you, and also united in common goals for all of our communities.

Our great Lone Star State with over 26 million residents is truly a growing and colorful garden of diversity served by men and women elected by the people. Obviously, the challenges this body of legislators face are ever-increasing, but we are persuaded that divine grace and wisdom are both sufficient and available.

May your unseen hand of kindness guide in all the thoughts and actions of business that will continue to impact our state. To you, the giver of every good and perfect gift, we offer this prayer. In your mighty name. Amen.

The speaker recognized Representative Simmons who led the house in the pledges of allegiance to the United States and Texas flags.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence for today because of important business in the district:

Canales on motion of E. Rodriguez.

Johnson on motion of Alvarado.

Martinez Fischer on motion of Nevárez.

Smithee on motion of Otto.

The following member was granted leave of absence for today because of important business:

Rinaldi on motion of Fallon.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 2:15 p.m. today, in 3W.9, to set a calendar.

Permission to meet was granted.

PROVIDING FOR A LOCAL, CONSENT, AND RESOLUTIONS CALENDAR

Representative S. Thompson moved to set a local, consent, and resolutions calendar for 9 a.m. Thursday, April 9.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Calendars, 2:15 p.m. today, 3W.9, for a formal meeting, to set a calendar.

(Burkett in the chair)

CAPITOL PHYSICIAN

The chair recognized Representative Goldman who presented Dr. Richard Young of Forth Worth as the "Doctor for the Day."

The house welcomed Dr. Young and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

**BILLS AND JOINT RESOLUTIONS ON FIRST READING
AND REFERRAL TO COMMITTEES
RESOLUTIONS REFERRED TO COMMITTEES**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

COMMITTEE GRANTED PERMISSION TO MEET

Representative S. Thompson requested permission for the Committee on Local and Consent Calendars to meet while the house is in session, at 2:30 p.m. today, in 1W.14, to set a calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Local and Consent Calendars, 2:30 p.m. today, 1W.14, for a formal meeting, to set a calendar.

**HR 1135 - PREVIOUSLY ADOPTED
(by Muñoz)**

The chair laid out the following previously adopted resolution:

HR 1135, Recognizing the South Texas College Dual Enrollment Academies program on being named a 2014 Examples of Excelencia finalist.

On motion of Representative Guerra, the names of all the members of the house were added to **HR 1135** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Muñoz who introduced representatives of the South Texas College Dual Enrollment Academies program.

**HR 451 - PREVIOUSLY ADOPTED
(by P. King)**

The chair laid out and had read the following previously adopted resolution:

HR 451, In memory of the Honorable Ben Akers of Weatherford.

On motion of Representative Workman, the names of all the members of the house were added to **HR 451** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative P. King who introduced family members of the Honorable Ben Akers.

HCR 92 - ADOPTED
(by Harless, et al.)

Representative Harless moved to suspend all necessary rules to take up and consider at this time **HCR 92**.

The motion prevailed.

The following resolution was laid before the house:

HCR 92, Congratulating Dr. Stephen C. Head on his appointment as president of the Lone Star College System.

HCR 92 was adopted.

On motion of Representatives Bell, Huberty, and Murphy, the names of all the members of the house were added to **HCR 92** as signers thereof.

INTRODUCTION OF GUEST

The chair recognized Representative Harless who introduced Dr. Stephen C. Head.

HR 1329 - ADOPTED
(by Bell, et al.)

Representative Bell moved to suspend all necessary rules to take up and consider at this time **HR 1329**.

The motion prevailed.

The following resolution was laid before the house:

HR 1329, Recognizing April 6, 2015, as Lone Star College Day at the State Capitol.

HR 1329 was adopted.

On motion of Representatives Murphy, Huberty, Keough, Bell, and Harless, the names of all the members of the house were added to **HR 1329** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Bell who introduced representatives of Lone Star College.

HR 1710 - ADOPTED
(by Craddick)

Representative Bohac moved to suspend all necessary rules to take up and consider at this time **HR 1710**.

The motion prevailed.

The following resolution was laid before the house:

HR 1710, Congratulating Judge Robin Smith on his retirement from the Midland Municipal Court.

HR 1710 was adopted.

On motion of Representative Kacal, the names of all the members of the house were added to **HR 1710** as signers thereof.

**PROVIDING FOR A CONGRATULATORY
AND MEMORIAL CALENDAR**

Representative Kacal moved to set a congratulatory and memorial calendar for 10 a.m. Thursday, April 9.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Rules and Resolutions, upon adjournment today, 3W.9, for a formal meeting, to set a calendar.

**HR 1097 - PREVIOUSLY ADOPTED
(by Peña)**

The chair laid out the following previously adopted resolution:

HR 1097, Honoring the Pasadena Fire Department.

On motion of Representative Fletcher, the names of all the members of the house were added to **HR 1097** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Peña who introduced representatives of the Pasadena Fire Department.

**HR 1741 - ADOPTED
(by Simpson)**

Representative Simpson moved to suspend all necessary rules to take up and consider at this time **HR 1741**.

The motion prevailed.

The following resolution was laid before the house:

HR 1741, In memory of Mamie Strieber Shepperd of Gladewater.

HR 1741 was unanimously adopted by a rising vote.

On motion of Representatives Flynn, Schaefer, and Leach, the names of all the members of the house were added to **HR 1741** as signers thereof.

**SCR 36 - ADOPTED
(Pickett - House Sponsor)**

Representative Pickett moved to suspend all necessary rules to take up and consider at this time **SCR 36**.

The motion prevailed.

The following resolution was laid before the house:

SCR 36, Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, April 1, 2015, and ending on Tuesday, April 7, 2015.

SCR 36 was adopted by (Record 165): 135 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Israel; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Burkett(C).

Absent, Excused — Canales; Johnson; Martinez Fischer; Rinaldi; Smithee.

Absent — Deshotel; Dukes; Frank; Isaac; Krause; McClendon; Sanford.

HB 4173 - PERMISSION TO INTRODUCE

Representative Howard requested permission to introduce and have placed on first reading **HB 4173**.

Permission to introduce was granted by (Record 166): 134 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Burkett(C).

Absent, Excused — Canales; Johnson; Martinez Fischer; Rinaldi; Smithee.

Absent — Deshotel; Dukes; Giddings; Krause; McClendon; Sanford; Tinderholt; Turner, S.

FIVE-DAY POSTING RULE SUSPENDED

Representative Fletcher moved to suspend the five-day posting rule to allow the Select Committee on Emerging Issues in Texas Law Enforcement to consider **HB 3212** upon final adjournment/recess Thursday, April 9 in E2.030.

The motion prevailed.

Representative Smith moved to suspend the five-day posting rule to allow the Committee on Licensing and Administrative Procedures to consider **HB 2642** at 2 p.m. or upon adjournment today in E2.026.

The motion prevailed.

Representative Pickett moved to suspend the five-day posting rule to allow the Committee on Transportation, Subcommittee on Long-Term Transportation Infrastructure Planning, to consider **HB 1324**, **HB 1738**, **HB 1944**, **HB 2194**, **HB 2606**, **HB 2736**, and **HB 3485** at 8 a.m. Wednesday, April 8 in E1.026.

The motion prevailed.

Representative Kuempel moved to suspend the five-day posting rule to allow the Committee on General Investigating and Ethics to consider **HB 1257**, **HB 3219**, **HB 3736**, and **HB 3945** at 10:30 a.m. or upon final adjournment/recess Thursday, April 9 in E2.026.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Select Committee on Emerging Issues in Texas Law Enforcement, upon final adjournment/recess Thursday, April 9, E2.030, for a public hearing, to consider **HB 3212** and previously posted business.

Licensing and Administrative Procedures, 2 p.m. or upon adjournment today, E2.026, for a public hearing, to consider **HB 2642** and the previously posted agenda.

Transportation, Subcommittee on Long-Term Transportation Infrastructure Planning, 8 a.m. Wednesday, April 8, E1.026, for a public hearing, to consider **HB 1324**, **HB 1738**, **HB 1944**, **HB 2194**, **HB 2606**, **HB 2736**, and **HB 3485**.

General Investigating and Ethics, 10:30 a.m. or upon final adjournment/recess Thursday, April 9, E2.026, for a public hearing, to consider **HB 1257**, **HB 3219**, **HB 3736**, **HB 3945**, and the previously posted agenda.

Elections, upon adjournment today, 1W.14, for a formal meeting, to consider pending business.

Insurance, upon adjournment today, Desk 114, for a formal meeting, to consider pending business.

ADJOURNMENT

Representative P. King moved that the house adjourn until 10 a.m. tomorrow in memory of the Honorable Ben Akers of Weatherford.

The motion prevailed.

The house accordingly, at 2:52 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HB 4149 (By Keough), Relating to the powers, operations, and boundaries of The Woodlands Township; authorizing a fee.

To County Affairs.

HB 4150 (By Miles), Relating to the powers and the board of the Harris County Improvement District No. 12.

To County Affairs.

HB 4168 (By D. Bonnen), Relating to the composition of the board of directors and the powers of the Gulf Coast Water Authority.

To Natural Resources.

HCR 102 (By Riddle), Congratulating Benjamin Netanyahu on his reelection as prime minister of Israel.

To International Trade and Intergovernmental Affairs.

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

April 1

Appropriations - **HB 903**

Government Transparency and Operation - **HB 590, HJR 64**

Homeland Security and Public Safety - **HB 2604**

Land and Resource Management - **HB 615, HB 1418, HB 1687**

Pensions - **HB 9, HB 966, HB 1707, HB 1725**

Public Health - **HB 2474, HB 3332**

Transportation - **HB 1368, HB 1833**

April 2

Business and Industry - **HB 58, HB 1332**

Corrections - **HB 307, HB 1546**

Culture, Recreation, and Tourism - **HB 1147**

Energy Resources - **HB 40**

General Investigating and Ethics - **HB 1354, HB 1427, HB 3279**
Homeland Security and Public Safety - **HB 12, HB 1425, HB 1509, HB 2477**
Juvenile Justice and Family Issues - **HB 178, HB 545, HB 943, HB 984**
Land and Resource Management - **HB 1422**
Public Education - **HB 4, HB 767**
Public Health - **HB 1219, HB 1945**
State Affairs - **HB 1618**
Transportation - **HB 219, HB 293, HB 315, HB 481, HB 598, HB 663, HB 792, HB 978, HB 1044**
Ways and Means - **HB 85, HB 992, HB 1261, HB 1625, HB 2019, HJR 75**

ENGROSSED

April 2 - HB 1, HB 2

SENT TO THE GOVERNOR

April 1 - HCR 60

